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HOUSE BILL 219

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

John A. Heaton

AN ACT

RELATING TO MUNICIPALITIES; AMENDING SECTION 3-17-6 NMSA 1978
(BEING LAWS 1965, CHAPTER 300, SECTION 14-16-5) PROVIDING FOR
ADOPTION OF CODES BY REFERENCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 3-17-6 NMSA 1978 (being Laws 1965,
Chapter 300, Section 14-16-5) is amended to read:

"3-17-6. CODES ADOPTED AND ENFORCED BY REFERENCE--
AVAILABILITY.--

A. A municipality may adopt by ordinance the
conditions, provisions, limitations and terms of ~~[an]~~:

(1) an administrative code;

(2) an air pollution code;

(3) a building code that includes provisions
for general, electrical, mechanical and plumbing construction;

underscoring material = new
[bracketed material] = delete

- 1 (4) an elevator code;
2 (5) an electrical code;
3 (6) a fire prevention code;
4 (7) a health code;
5 (8) a housing code;
6 (9) a plumbing code;
7 (10) a traffic code; or
8 (11) any other code not in conflict with the
9 laws of New Mexico or valid regulations issued by any board or
10 agency of New Mexico authorized to issue regulations.

11 Any code so adopted shall provide for minimum requirements
12 at least equal to the state requirements on the same subject,
13 and in the case of a building code, the municipality shall
14 adopt as a minimum standard the national code adopted, amended
15 and enforced by the construction industries division of the
16 regulation and licensing department.

17 B. An ordinance adopting any such code need only
18 refer to the proper title and date of the code [~~only~~], without
19 setting forth the code's conditions, provisions, limitations
20 and terms, and may include any exception or deletion to the
21 code by setting forth the exception or deletion to the code.
22 The ordinance shall further specify at least one place within
23 the municipality where the code, so adopted, is available for
24 inspection during the normal and regular business hours of the
25 municipal clerk. A copy of the code shall be available upon

.165032.1

underscoring = new
~~[bracketed material]~~ = delete

1 request and payment of a reasonable charge.

2 C. Any amendment to such a code may be adopted in
3 the same manner as other ordinances are adopted."

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